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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,440	02/25/2000	Kathleen Tyson-Quah	126-001USA000	7934

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EXAMINER

BUI, THACH H

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/513,440

Applicant(s)

TYSON-QUAH, KATHLEEN

Examiner

Thach H Bui

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-160 is/are pending in the application.
- 4a) Of the above claim(s) 25-56 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☒ Claim(s) 3,5,8,61,72,74,84-97,104,108,114,116,130,131,143 and 150 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other: _____

DETAILED ACTION

1. The preliminary amendment filed March 19, 2001 has been received and entered.

Information Disclosure Statement

2. Applicant's prior art citation filed October 19, 2001 has been received, considered and placed of record.

Specification

3. Claims 1, 12, 13 are objected to because of the following informalities: the claim contains phrases in the parentheses. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 77, 100, 121, 140 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 77 is vague and indefinite because "wherein the user is acting on behalf of the third party" renders the claim unclear. How? And in what sense? See claims 100, 121, 140 for the same informality.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-2, 4, 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. (U.S. Patent No. 6,088,686).

As per claim 1, Walker et al. disclose a system comprising a communication network formed by the interlinking of a plurality of internet protocol networks, and a plurality of user host applications supported over the communication network and as well as a plurality of third party host applications i.e. multiple financial institutions supported over the communication network (see Figures 1A and 1B). Walker et al. also teach a plurality of payment bank host applications supported over the communications to process payments messages in the domestic payments system on behalf of a plurality of account holders (i.e. verifying debt burden of the account holder) (see

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Figures 10A, and 10C). Walker et al. further disclose the risk parameters (see Figure 12) and a processing queue or later evaluation when the risk parameters were breached (see Figures 40-42) (2024); thereby, it will reduce risks. Walker et al. do not mention explicitly a filter process module; however, Walker et al. disclose a means for rejecting or accepting applications that meet the predetermined criteria. Therefore, it is understood that the system, as taught by Walker et al., has a filter process module.

As per claim 2, Walker et al. disclose a network comprising multiple host applications that generate and receive notifications, inquiries, reports and messages via the communication network (see Figures 1A and 1B).

As per claim 4, Walker et al. disclose multiple host applications that periodically or on-demand can obtain multi-currency reports.

As per claim 12, Walker et al. disclose a database for storing and/or recording various type of information, including identification of the users, and etc. (see Figures 1A and 1B).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 6, 7, 57-60, 62-71, 73, 75-83, 99-100, 102-103, 105-107, 109-113, 117-129, 132-142, 145-146, 148-149 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. in view of Logan et al. (U.S. Patent No. 6,493,680).

As per claims 6 and 7, Walker et al. have all the features of the invention but fail to teach a means to make expected payments for a pre-determined period of elapsed time and a means to reinstate and/or suspend further payments to the counter party. Logan et al. teach a means to make expected payments for a pre-determined period of time and a means to reinstate and/or suspend further payments to the counter party (col. 19, line 32-col. 21, line 41). It would have been obvious to one having ordinary skills in the art at the time the invention was made to modify the teachings of Walker et al. and combine with Logan et al. to have a system that has a means to make expected payments for a pre-determined period of time and a means to reinstate and/or suspend further payments to the counter party.

As per claims 57-59, Walker et al. have all the features of the invention but fail to teach of payment queue and payment authorization. Logan et al. teach a payment queue and payment authorizations from the account holder to the counter party (col. 19, line 32-col. 21, line 41).). It would have been obvious to one having ordinary skills in the art at the time the invention was made to modify the teachings of Walker et al. and combine with Logan et al. to have a system that has a payment queue and payment authorizations from the account holder to the counter party.

As per claims 60, both Walker et al. and Logan et al. have all the features of the invention but both do not mention explicitly the first instruction is being rejected in the

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event that the amount of the payment exceeds the available balance. However, Logan et al. teach a means to notify the user whether the user should be in collections due to the amount of money past due. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined teachings of both Walker et al. and Logan et al. to have a system that acknowledge the first instruction of which is being rejected in the event that the amount of the payment exceeds the available balance.

As per claims 62-69, Walker et al. disclose a computer-implemented system that contains user-supplied risk parameter and user-supplied updates (debt burden, FICO score and etc.). Further, Walker et al. teach a risk filter routine and/or filter process module (mentioned in claim 1). Walker et al. lack the teaching of a means to update payments which are made from the account holder to the counter party. Logan et al. teach a means to update payments which are made from the account holder to the counter party (22, 24, and 26) (see Figure 1). It would have been obvious to one having ordinary skills in the art at the time the invention was made to modify the teachings of Walker et al. and combine with Logan et al. to have a system that has a bill payment system to update the payment information from the account holder to the counter party.

As per claim 70-71, 73, 75-79, 81-83, 100 the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale.

As per claim 80, Walker et al. do not explicitly mention bank identification codes or an aggregation of such codes. However, Walker et al. disclose a batch bank information data repository (35) comprising multiple financial institutions. Therefore, it is

understood that Walker et al. includes bank identifier codes for multiple financial institutions.

As per claim 99, the claim contains feature addressed in claim 2, and therefore is rejected under the same rationale.

As per claim 102-103, 105-107, 109-113, 115, 117-129, 132-142, 145-146, 148-149 the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale.

As per claims 151-160, the claims contain features addressed in the above claims, and therefore, are rejected under the same rationale. Both Walker et al. and Logan et al. do not explicitly mention S.W.I.F.T. (Society for Worldwide Interbank Financial Telecommunication); however, Logan et al. teach a payment system for multiple financial institutions. Therefore, it would have been obvious to one skilled artisan in the art to modify the teaching of both Logan et al. and Walker et al. to satisfy the requirements of S.W.I.F.T as if it is performing international transactions.

7. Claims 9, 98, 144 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. in view of Rosen (U.S. Patent No. 6,122,625).

Walker et al. have all the features of the invention but fail to teach an encryption process for security purposes. Rosen teaches an encryption process for security purposes (45) (col. 14, lines 27-40). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of Walker et al. and combine with Rosen to have a system with an encryption process for security purposes.

8. Claims 10, 101, 147 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. in view of Malcinski et al. (U.S. Patent No. 6,348,935).

Walker et al. have all the features of the invention but fail to teach a browser interface applications so that user can access the information. Malcinski et al. teach a graphical user interface application with integrated control panel so that user can access, display and manipulate the data on a computer (abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of Walker et al. and combine with Malcinski et al. to have a system that has a graphical user interface application and/or browser interface application so that user can access, display and manipulate data on the computer.

Allowable Subject Matter

9. Claims 3, 5, 8, 61, 72, 74, 84-97, 104, 108, 114, 116, 130-131, 143, 150 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 13-24 are objected to as being objected as minor informalities, but would be allowable if rewritten.

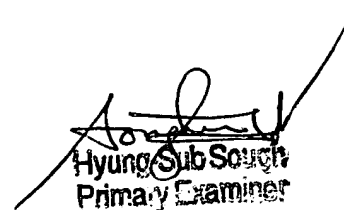
Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thach H Bui whose telephone number is 703-305-0063. The examiner can normally be reached on Monday-Friday, 7:30-4 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough, can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

T.B.
March 4, 2003


Hyung Sub Sough
Primary Examiner

Continuation of Disposition of Claims: Claims rejected are 1,2,4,6,7,9-60,62-71,73,75-83,98-103,105,106,109-115,117-129,132-142,144-149 and 151-160.